

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12847 of Anne Crutcher, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the prohibition against adding to a dwelling which is a nonconforming structure exceeding the allowable number of stories and percentage of lot occupancy (Paragraph 7107.21), from the open court requirements (Sub-section 3306.1 and Paragraph 7107.22) and from allowing an addition to a fourth story in the R-4 District (Sub-section 3201.1), at the premises 700 East Capitol Street, N. E., (Square 897, Lot 44).

HEARING DATE: March 13, 1979

DECISION DATE: March 13, (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located in an R-4 zone District at the northeast corner of the intersection of East Capitol and 7th Street, known as 700 East Capitol Street, N. E.

2. The subject property is presently improved with a four story brick row dwelling which has its main entrance facing 7th Street.

3. The applicant proposes to construct a rear addition to the existing fourth floor dormer area. The addition would be seventeen feet, seven inches wide and would extend ten feet to the rear.

4. The present fourth floor does not extend over the full area of the lower three floors. The proposed addition will be located entirely over the existing building. The roof line of the addition will conform with the existing roof line of the existing fourth floor.

5. There already exists a .83 foot wide open court to the east of the area where the addition is proposed. Sub-section 3306.1 of the Zoning Regulations requires an open court to be a minimum of six feet. The proposed addition would follow the line of the existing building, would maintain the same width of court, and would not increase the degree of nonconformity of the open court.

6. The proposed addition does not affect the rear yard nor does it increase the percentage of lot occupancy.

7. There was no report from ANC-6A on this application.

8. There was no opposition to the granting of this application.

CONCLUSIONS OF LAW:

Based on the above Findings of Fact and the evidence of record, the Board is of the opinion that the variances are area variances, the granting of which requires the showing of a practical difficulty. The Board concludes that the configuration of the existing building on the lot creates such a difficulty and that the applicant has made the required showing. The Board notes that the requested relief does not increase the degree of non-conformity of the structure. The Board further concludes that such relief can be granted without substantial detriment to the public good, and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map. Accordingly, it is hereby ORDERED that this application is hereby GRANTED.

VOTED: 4-0 (William F. McIntosh, Charles Norris, Chloethiel Woodward Smith, and Leonard McCants to grant).

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT.

ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 25 APR 1979

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.